THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.7364 OF 1997

Date: 11th July 2006

Between:
M/s. Sunny Neem Extracts Private Ltd.,
PlotNo.3, Dwarakapuri Colony, Punjagutta,
Hyderabad-500 082, represented by its
Managing Director, G.Anand.

… Petitioner.

And

1. M/s. Integrated Tribal Development
   Authority, Seethampet, Srikakulam,
   Represented by its Project Officer
   And another.

…. Respondents.

* * *

ORDER:

This writ petition is filed seeking a writ of Mandamus directing the respondents to pay a sum of Rs.14,10,720/- with interest at 24% per annum for having supplied 100 M.Ts. of Sunny Neem Cake under Bill No.404 dated 02.9.1996; 88 M.Ts. of Sunny Neem Cake under Bill No.420 dated 14.9.1996 and Sunny Suraksha Neem Oil under Bill No.419 dated 14.9.1996 at the instance of the first respondent.

2. It is the case of the petitioner that it had established a plant at Dasarlapalli village, Kandukur mandal, Ranga Reddy District, under the name and style "Sunny Neem Extracts Private Ltd.," for

the purpose of extracting Neem oil and also manufacturing Neem cake under the brand called Sunny brand. It seems the petitioner supplied Neem cake and oil under the above bills to the second respondent through the first respondent. When they failed to satisfy the bills, the petitioner filed the present writ petition.

3. There is no necessity of going into all the details. The writ petition is misconceived. It is purely a contract between the parties. It is not a statutory contract to invoke jurisdiction of this court under Article 226 of the Constitution of India. Therefore, the writ petition is liable to be dismissed.

4. Accordingly, the writ petition is dismissed leaving liberty to the petitioner to work out remedies as available under law.

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C.V.RAMULU, J.

Date: 11th July 2006.
BSB